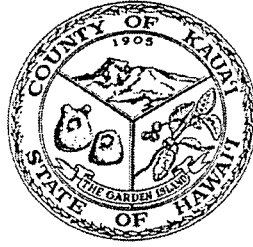


COUNTY COUNCIL

Jay Furfaro, Chair
Mason K. Chock, Sr., Vice Chair
Tim Bynum
Gary L. Hooser
Ross Kagawa
Mel Rapozo
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Ricky Watanabe, County Clerk
Jade K. Fountain-Tanigawa, Deputy County Clerk

Telephone (808) 241-4188
Fax (808) 241-6349
Email cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Līhu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

February 27, 2014

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Jay Furfaro, Council Chair
RE: **FEBRUARY 26, 2014 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its February 26, 2014 Council Meeting:

CONSENT CALENDAR:

C 2014-47 Communication (01/30/2014) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Bradley M. Maruyama to the Fire Commission for the County of Kaua'i – Term ending 12/31/2015.
(Received for the Record.)

C 2014-49 Communication (02/10/2014) from the County Auditor, transmitting for Council information, N&K CPAs, Inc.'s Independent Auditor's Report on Applying Agreed-Upon Procedure and the County of Kaua'i's Housing Agency Financial Data Schedule for the Fiscal Year ended June 30, 2013.
(Received for the Record.)

C 2014-50 Communication (02/20/2014) from Councilmember Yukimura, transmitting for Council consideration and approval, a Resolution Acknowledging the Necessity to Expedite Permit Processing for Workforce Housing.
(Received for the Record.)

COMMUNICATIONS:

C 2014-48 Communication (02/04/2014) from the County Attorney, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-753, as amended, relating to the Operating Budget of the County of Kaua'i for the Fiscal Year 2013-2014, by Revising the Amounts Estimated in the General Fund. (Office of the County Attorney, Special Counsel - \$75,000)
(Received for the Record.)

C 2014-51 Communication (01/31/2014) from the County Engineer, transmitting for Council consideration and approval, the project data and location maps of the proposed collector roads in the Resurface Collector Roads project, that includes: Haua'ala Road (from Kūhiō Highway to Kawaihau Road), Mailihuna Road (from Kūhiō Highway to Kawaihau Road), and Olohena Road (from Malu Road to Ka'apuni Road), including reconstruction of deteriorated portions of the roadways, which are eligible for Federal Aid Program funding. **(Approved.)**

C 2014-52 Communication (02/04/2014) from Council Chair Furfaro, requesting the presence of the Civil Defense Manager, to provide the Council with a briefing and update on the new Tsunami Evacuation Maps. **(Received for the Record.)**

C 2014-53 Communication (02/05/2014) from Councilmember Bynum, requesting the presence of the Director of Finance and the Budget & Purchasing Director, for a broad discussion and presentation on the budget trend analysis and identified challenges for the upcoming Fiscal Year 2014-2015 budget session for the County of Kaua'i. **(Referred to the 03/05/2014 Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee Meeting.)**

C 2014-54 Communication (02/05/2014) from the Executive on Transportation, requesting Council approval to receive, indemnify, and expend the Federal Transit Administration (FTA) Section 5311 funds provided to the County of Kaua'i in the amount of \$150,000 to support public transit operations. **(Approved.)**

C 2014-55 Communication (02/10/2014) from the Executive on Aging, requesting Council approval to apply for, receive, and expend funds from the Continuation Grant awarded by the Corporation for National and Community Service to the County of Kaua'i's Agency on Elderly Affairs, Kaua'i Retired and Senior Volunteer Program (RSVP) in the amount of \$91,135, to assist the Kaua'i RSVP in carrying out a national service program as authorized by the Domestic Volunteer Services Act of 1973, as amended, (Title 42 United States Code (USC), Chapter 22). **(Approved as Amended.)**

C 2014-56 Communication (02/14/2014) from the County Attorney, requesting authorization to expend up to \$125,000 for Special Counsel's continued services provided in County of Kaua'i vs. Michael Guard Sheehan, et al., Civil No. 11-1-0098 (Condemnation) (Fifth Circuit Court), and related matters. **(Approved.)**

C 2014-57 Communication (02/14/2014) from the County Attorney, requesting authorization to expend up to \$15,000 for Special Counsel's continued services provided in Kaua'i Springs, Inc. vs. County of Kaua'i, et al., Civil No. 07-1-0182 and Kaua'i Springs, Inc. vs. Planning Commission of the County of Kaua'i, Civil No. 07-1-0042 (Fifth Circuit Court), and related matters. **(Approved.)**

C 2014-58 Communication (02/14/2014) from the County Attorney, requesting authorization to expend funds up to \$15,000 for Special Counsel's continued services provided for Defendant Chris Calio in Lynell Tokuda, et al. vs. Chris Calio, et al., Civil No. CV13-00202 DKW-BMK (U.S. District Court), and related matters. **(Deferred.)**

LEGAL DOCUMENT:

C 2014-59 Communication (02/14/2014) from the Housing Director, recommending Council approval of a Right-of-Entry Agreement with Shioi Construction, Inc., for the purpose of granting access to the Rice Camp parcels, to provide Shioi Construction, Inc. with access to start construction mobilization work in preparation for the construction of the Rice Camp Senior Housing project, situated at Tax Map Key (TMK) Nos: (4)3-6-009-001 and (4)3-6-004-009.

- Right-of-Entry Agreement
(Approved.)

CLAIMS:

C 2014-60 Communication (02/18/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Michael and Rosita Fitzgerald, for damage to their property, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2014-61 Communication (02/18/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Josha Courtney, for personal injury, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2014-04 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION
(Brandon H. Shimokawa – At-Large) ***(Deferred.)***

Resolution No. 2014-07 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE FIRE COMMISSION *(Bradley M. Maruyama)*
(Approved.)

Resolution No. 2014-08 – RESOLUTION ACKNOWLEDGING THE NECESSITY TO EXPEDITE PERMIT PROCESSING FOR WORKFORCE HOUSING ***(Approved.)***

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2533) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Office of the County Attorney, Special Counsel - \$75,000)* ***(Received for the Record.)***

BILLS FOR SECOND READING:

Bill No. 2515, Draft 1 – A BILL FOR AN ORDINANCE AMENDING SECTION 21-9.2 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT ***(Deferred; Pursuant to Council Rule No. 2(a))***

Bill No. 2516, Draft 2 – A BILL FOR AN ORDINANCE TO ESTABLISH A NEW ARTICLE UNDER CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, ENTITLED BARKING DOGS ***(Approved.)***

Bill No. 2520, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES ***(Approved.)***

Bill No. 2521 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE HOUSING & COMMUNITY DEVELOPMENT REVOLVING FUND *(Housing Agency Grant Funded Bargaining Unit 13 Increases – \$20,891)* ***(Approved.)***

Bill No. 2522 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Fire Department Bargaining Unit 11 Increases – \$617,529)* ***(Approved.)***

Bill No. 2523 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Police Department Other Post Employment Benefits (OPEB) Replenishment Due to Bargaining Unit 12 Increases – \$987,606)* ***(Approved.)***

Bill No. 2524 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Committed Reserve Fund Replenishment Due to Bargaining Unit 12 Increases – \$561,864)* ***(Approved.)***

Bill No. 2525 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Committed Reserve Fund Replenishment Due to Bargaining Unit 13 Increases – \$197,072)* ***(Approved.)***

Bill No. 2526 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*General Fund Other Post Employment Benefits (OPEB) Replenishment Due to Bargaining Unit 13 Increases – \$ 295,422*) **(Approved.)**

Bill No. 2527 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Department of Parks and Recreation, Parks Maintenance Septic System Pumping – \$200,000*) **(Approved.)**

Bill No. 2528 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Office of Economic Development, Administration – Other Services, Kauai Historical Society Grant – \$25,000*) **(Approved.)**

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)